

(c)(1) If a vessel is assigned two sets of gross and net tonnages under this section, each certificate stating the vessel's tonnages shall state the gross and net tonnages when the vessel's tonnage mark is submerged and when it is not submerged.

(2) Except as provided in paragraph (1) of this subsection, a certificate stating a vessel's tonnages may state only one set of gross and net tonnages as assigned under this section.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1924; Pub. L. 111-281, title III, § 303(h), Oct. 15, 2010, 124 Stat. 2925.)

#### HISTORICAL AND REVISION NOTES

##### *Revised section 14513*

Source: Section (U.S. Code) 46 App. U.S.C. 83 to 83g. Section 14513 gives discretionary authority to the Secretary to exclude certain spaces in measuring the regulatory tonnage of a vessel, and requires the Secretary to prescribe the design, location and dimensions of the tonnage mark to be placed on the vessel. Section 14513 further provides that if spaces are excluded by the Secretary, they shall be comparable to those the Secretary could have excluded in existing law (46 App. U.S.C. 83a). Section 14513(c) provides that if a vessel's tonnage mark is below the uppermost part of the load line mark, each certificate that states the vessel's tonnages must state the gross and net tonnages when the mark is submerged and when it is not submerged.

#### REFERENCES IN TEXT

Section 2 of the Act of September 29, 1965, referred to in subsec. (a), was classified to section 83a of the former Appendix to this title and was repealed by Pub. L. 99-509, title V, § 5104(b), Oct. 21, 1986, 100 Stat. 1928.

#### AMENDMENTS

2010—Subsec. (c)(1). Pub. L. 111-281, § 303(h)(1), substituted “vessel is assigned two sets of gross and net tonnages under this section,” for “vessel's tonnage mark is below the uppermost part of the load line marks,” and inserted “vessel's tonnage” before “mark is submerged”.

Subsec. (c)(2). Pub. L. 111-281, § 303(h)(2), substituted “as assigned under this section.” for period at end.

### § 14514. Reciprocity for foreign vessels

For a foreign vessel not measured under chapter 143, if the Secretary finds that the laws and regulations of a foreign country related to measurement of vessels are substantially similar to those of this chapter and the regulations prescribed under this chapter, the Secretary may accept the measurement and certificate of a vessel of that foreign country as complying with this chapter and the regulations prescribed under this chapter.

(Added Pub. L. 111-281, title III, § 303(i), Oct. 15, 2010, 124 Stat. 2925.)

#### SUBCHAPTER III—SIMPLIFIED SYSTEM

##### HISTORICAL AND REVISION NOTES

This subchapter provides for a simplified regulatory measurement of vessels that are either non-self-propelled, under 79' in length, or operated only for pleasure.

### § 14521. Application

This subchapter applies to a vessel described in section 14501 of this title that is not measured under subchapter II of this chapter.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

#### HISTORICAL AND REVISION NOTES

##### *Revised section 14521*

Source: Section (U.S. Code) 46 App. U.S.C. 71.

Section 14521 provides that vessels that are to be measured under the regulatory measurement system in this chapter, but are not measured under the standard regulatory measurement system in subchapter II, shall be measured under the simplified measurement system.

### § 14522. Measurement

(a) In this section, “length” means the horizontal distance of the hull between the foremost part of the stem and the aftermost part of the stern, excluding fittings and attachments.

(b)(1) The Secretary shall assign gross and net tonnages to a vessel based on its length, breadth, depth, other dimensions, and appropriate coefficients.

(2) The Secretary shall prescribe the way dimensions (except length) are measured and which coefficients are appropriate.

(c) The resulting gross tonnages, taken as a group, reasonably shall reflect the relative internal volumes of the vessels measured under this subchapter. The resulting net tonnages shall be in approximately the same ratios to corresponding gross tonnages as are the net and gross tonnages of comparable vessels measured under subchapter II of this chapter.

(d) Under regulations prescribed by the Secretary, the Secretary may determine the gross and net tonnages of a vessel representative of a designated class, model, or type, and then assign those gross and net tonnages to other vessels of the same class, model, or type.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

#### HISTORICAL AND REVISION NOTES

##### *Revised section 14522*

Source: Section (U.S. Code) 46 App. U.S.C. 71.

Section 14522(a) defines the term “length” as it is used in the simplified measurement system.

Section 14522(b) requires the Secretary to assign gross and net tonnages under the simplified system, based on a vessel's length, breadth, depth, other dimensions and appropriate coefficients, as the Secretary deems appropriate.

Section 14522(c) provides that the gross tonnages as measured under this section shall reflect the relative internal volumes of vessels. It provides further that the net tonnages measured under this section shall be in approximately the same ratio to corresponding gross tonnages as are the net and gross tonnages of comparable vessels measured under the standard regulatory measurement system.

#### CHAPTER 147—PENALTIES

Sec.	
14701.	General violation.
14702.	False statements.

##### HISTORICAL AND REVISION NOTES

This chapter provides for penalties for violations of Part J—Measurement of Vessels.

### § 14701. General violation

The owner, charterer, managing operator, agent, master, and individual in charge of a ves-

sel violating this part or a regulation prescribed under this part are each liable to the United States Government for a civil penalty of not more than \$20,000. Each day of a continuing violation is a separate violation. The vessel also is liable in rem for the penalty.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

HISTORICAL AND REVISION NOTES

*Revised section 14701*

Source: Section (U.S. Code) 46 App. U.S.C. 83j.  
Section 14701 provides that the owner, charterer, managing operator, agent, master, and individual in charge of a vessel violating Part J—Measurement of Vessels—are each liable to the U.S. Government for a civil penalty of not more than \$20,000. It also provides that the vessel is liable in rem for the penalty and that each day of a continuing violation is a separate violation.

**§ 14702. False statements**

A person knowingly making a false statement or representation in a matter in which a statement or representation is required by this part or a regulation prescribed under this part is liable to the United States Government for a civil penalty of not more than \$20,000 for each false statement or representation. The vessel also is liable in rem for the penalty.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

HISTORICAL AND REVISION NOTES

*Revised section 14702*

Source: Section (U.S. Code) 46 App. U.S.C. 83i.  
Section 14702 provides that a person knowingly making a false statement or representation in a matter in which a statement or representation is required by this part or a regulation prescribed under this part is liable to the United States Government for a civil penalty of not more than \$20,000 for each false statement or representation. It further provides that the vessel is liable in rem for the penalty. This penalty is increased from \$1,000 in existing law and conforms with the level of similar penalties throughout the subtitle.

PART K—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES

**CHAPTER 151—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES**

Sec.	
15101.	National Chemical Transportation Safety Advisory Committee.
15102.	National Commercial Fishing Safety Advisory Committee.
15103.	National Merchant Marine Personnel Advisory Committee.
15104.	National Merchant Mariner Medical Advisory Committee.
15105.	National Boating Safety Advisory Committee.
15106.	National Offshore Safety Advisory Committee.
15107.	National Navigation Safety Advisory Committee.
15108.	National Towing Safety Advisory Committee.
15109.	Administration.

TREATMENT OF EXISTING COUNCILS AND COMMITTEES

Pub. L. 115-282, title VI, § 601(d), Dec. 4, 2018, 132 Stat. 4290, provided that: “Notwithstanding any other provision of law—

“(1) an advisory council or committee substantially similar to an advisory committee established under chapter 151 of title 46, United States Code, as added by this Act, and that was in force or in effect on the day before the date of enactment of this section [Dec. 4, 2018], including a council or committee the authority for which was repealed under subsection (c) [repealing sections 4508, 7115, 8108, and 13110 of this title and sections 1231a and 2073 of Title 33, Navigation and Navigable Waters], may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the council or committee may remain in force or in effect; and

“(2) during the 2-year period referenced in paragraph (1)—

“(A) requirements relating to the applicable advisory committee established under chapter 151 of title 46, United States Code, shall be treated as satisfied by the substantially similar advisory council or committee; and

“(B) the enactment of this section [see Tables for classification], including the amendments made in this section, shall not be the basis—

“(i) to deem, find, or declare such council or committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

“(ii) to suspend the activities of such council or committee; or

“(iii) to bar the members of such council or committee from meeting.”

**§ 15101. National Chemical Transportation Safety Advisory Committee**

(a) ESTABLISHMENT.—There is established a National Chemical Transportation Safety Advisory Committee (in this section referred to as the “Committee”).

(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to the safe and secure marine transportation of hazardous materials.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of not more than 25 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Each member of the Committee shall represent 1 of the following:

(A) Chemical manufacturing entities.

(B) Entities related to marine handling or transportation of chemicals.

(C) Vessel design and construction entities.

(D) Marine safety or security entities.

(E) Marine environmental protection entities.

(4) DISTRIBUTION.—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

(Added Pub. L. 115-282, title VI, § 601(a), Dec. 4, 2018, 132 Stat. 4280.)